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Counsel for Defendant James Gilbert Kellems

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	CR No. 09-0582 MHP
)	
Plaintiff,)	STIPULATION AND PROPOSED ORDER
)	CONTINUING SENTENCING DATE
v.)	
)	
JAMES GILBERT KELLEMS)	
)	
Defendant.)	
_____)	

STIPULATION

Defendant's sentencing date is scheduled for Monday, October 5, 2009 at 9:00 a.m. The parties received a "Criminal History Memorandum" (which also contains an offense level and a "recommended sentence") from U.S. Probation on September 25, 2009, and with the current sentencing date, the sentencing memoranda are due on September 28, 2009.

Undersigned defense counsel requests a short continuance of the sentencing date so that she can review the report with Mr. Kellems prior to filing her sentencing memorandum. The next available date before this Court is October 26, 2009. The government has no objection to this request.

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1 SO STIPULATED:

2 JOSEPH P. RUSSONIELLO
3 United States Attorney

4 DATED: September 28, 2009

5 _____/s/
6 CYNTHIA FREY
7 Assistant United States Attorney

8 DATED: September 28, 2009

9 _____/s/
10 SHAWN HALBERT
11 Assistant Federal Public Defender

12 **~~[PROPOSED]~~ ORDER**

13 For the reasons stated above, the Court finds that the continuance of the sentencing date
14 before this court from October 5, 2009 to October 26, 2009 is warranted.

15 SO ORDERED.

16 DATED: 9/30/2009

